

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

07-CV-6068T

**DEFAULT JUDGMENT AND  
ORDER OF FORFEITURE**

THE PREMISES AND REAL PROPERTY WITH  
ALL BUILDING, APPURTENANCES, AND  
IMPROVEMENTS, LOCATED AT 118 KELLER  
STREET, ROCHESTER, NEW YORK,

Defendant.

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The plaintiff, the United States of America, has moved for a Default Judgment pursuant to Federal Rules of Civil Procedure 55(b)(2), and for an Order of Forfeiture. After reviewing the affidavit of Assistant United States Attorney Grace M. Carducci dated October 4, 2011, and, it appearing that no claimant has timely filed a Verified Claim and Answer in this action, as required by the Notice that was served upon them, as provided by Rule G(5) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions and Title 18, United States Code, Section 983(a)(4)(A) and, it appearing that an Entry of Default against the defendant property has been entered in this action by the Clerk of the Court, and that the plaintiff is entitled to have a Judgment by Default entered, it is hereby

ORDERED, ADJUDGED AND DECREED, that Default Judgment be entered against the defendant property; and

FURTHER, that the defendant premises and real property with all buildings, appurtenances, and improvements, located at 118 Keller Street, Rochester, New York, is forfeited to the United States of America pursuant to Title 21, United States Code, Section 881(a)(7), and that all right title and interest to the defendant real property is hereby condemned, forfeited and vested in the United States of America and shall be disposed of by the United States Marshals Service or any other authorized law enforcement officer according to law; and

FURTHER, that pending the final disposition of the defendant real property, the United States of America, through the United States Department of Justice and/or the United States Marshals Service, is authorized to contact any and all current occupants/tenants/lessees of the real property; to serve a copy of this Order upon such occupants/tenants/lessees directing that if necessary entering into a formal occupancy agreement, the terms therein left to the discretion of the United States Marshals Service or upon 30 days notice the United States Marshals Service may evict any occupants/tenants/lessees and secure any personal property remaining at the property; and

FURTHER, that any claims to the defendant property are hereby forever barred; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

**ALL OF THE ABOVE IS SO ORDERED.**

s/Michael A. Telesca  
MICHAEL A. TELESCA  
United States District Judge

Dated: Rochester, New York  
November 14, 2011